

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF MONTANA

In the matter of the amendment of ARM)
17.56.101, 17.56.102, 17.56.104,)
17.56.105, 17.56.201 through 17.56.203,))
17.56.301 through 17.56.304, 17.56.308)
through 17.56.310, 17.56.403,)
17.56.407, 17.56.408, 17.56.701 through)
17.56.705, 17.56.801 through 17.56.803,))
17.56.805 through 17.56.811, 17.56.816,))
17.56.817, 17.56.820 through 17.56.825,))
17.56.827, 17.56.828, 17.56.901,)
17.56.1002, 17.56.1003 through)
17.56.1005, and 17.56.1422; the)
adoption of new rule I; and the repeal of)
ARM 17.56.120 and 17.56.121)
pertaining to the management of)
underground storage tanks,)
incorporation by reference, and)
assessment of administrative penalties)
)
)

CORRECTED NOTICE OF
AMENDMENT

(UNDERGROUND STORAGE
TANKS)

TO: All Concerned Persons

1. On July 5, 2007, the Department of Environmental Quality published MAR Notice No. 17-260 regarding a notice of proposed amendment, adoption, and repeal of the above-stated rules at page 915, 2007 Montana Administrative Register, issue number 13. On August 23, 2007, the department published the notice of amendment, adoption, and repeal at page 1189, 2007 Montana Administrative Register, issue number 16. The rules were amended, adopted, and repealed as proposed, but with a minor change to New Rule I (17.56.204).

2. This corrected notice of amendment is being published to correct internal references in ARM 17.56.308 and 17.56.802. The proposed notice added a new (2), and (3) through (9) remained the same, but were renumbered (4) through (10) in ARM 17.56.308. Section (6) contains an internal reference to (2) and (4), which should have been amended to (3) and (5) in the original notice. Section (8) contains an internal reference to (8) which should have been amended to (9) in the original notice. ARM 17.56.308(6) and (8) and 17.56.802(1)(d) should have been amended in the original notice as follows, new matter underlined, deleted matter interlined:

17.56.308 OPERATING PERMIT REQUIRED (1) through (5) remain as amended.

(6) The department shall issue an operating tag for each underground storage tank for which the department has issued an operating permit as described

in ~~(2)~~ (3) and ~~(4)~~ (5). The operating tag must be visibly affixed by the owner or operator to each tank's fill pipe or to another visible part of the tank if affixing the tag to the fill pipe is impracticable. If an operating permit is revoked, the owner or operator must remove each operating tag and return it to the department within 30 days of receipt of revocation.

(7) remains as amended.

(8) Except as provided in ~~(8)~~ (9), the department shall suspend or revoke an operating permit and tag issued under this rule according to the provisions of 75-11-512, MCA.

(9) and (10) remain as amended.

17.56.802 COMPLIANCE DATES (1) through (1)(c) remain as amended.

(d) All petroleum UST owners not described in ~~(4)~~ (a), ~~(2)~~ (b), or ~~(3)~~ (c) of this rule, including all local government entities; October 26, 1990.

3. Replacement pages for this corrected notice were submitted to the Secretary of State on September 28, 2007.

Reviewed by:

DEPARTMENT OF ENVIRONMENTAL
QUALITY

/s/ James M. Madden

JAMES M. MADDEN

Rule Reviewer

By: /s/ Richard H. Oppen

RICHARD H. OPPER

Director

Certified to the Secretary of State, October 15, 2007.